

SCHURZ COMMUNICATIONS, INC.

225 W. Colfax Avenue/South Bend, Indiana 46626 (219) 287-1001

E. Berry Smith

Senior Vice President - Broadcasting

June 3, 1996

The Hon. Rachelle B. Chong, Commissioner
Federal Communications Commission
1919 M Street, N.W., Room 844
Washington, D.C. 20054

Dear Commissioner Chong:

It is my understanding the Federal Communications Commission at its June 12 meeting will consider amending the so-called "right-to-reject" portion of the Network-Affiliate Rules. The "right-to-reject" rule has been a keystone in the operating relationship between networks and affiliated stations for years and has helped stations maintain a level of local autonomy and local control.

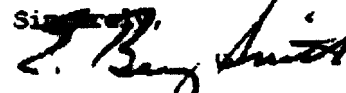
Further, it is my understanding this amendment would eliminate pre-emption of network programs that are determined to be "economic" pre-emptions. Such a determination is highly subjective and if controlled by the network, it could result in penalties to successful and popular local programs that might unilaterally be declared "economic pre-emptions." And, there is no third party qualified to render such a judgment.

This is truly a classic case of "if it is not broken, don't fix it".

This is one of the few times when I find myself planted on the side of maintaining regulation by the FCC. As much as I endorse the basic principle of "deregulation", as in any business situation, there should be a certain set of rules by which we all must abide.

In my opinion, this is one of those rules that is good and one that has proven to be of benefit in the past to the public we serve, and I would urge you to let that benefit continue.

Thank you for your consideration.


E. Berry Smith

EBS:njc
cc Kurt Wimmer

TELEVISION

WBST-TV South Bend, IN • WDBJ-TV Roanoke, VA • WAGT-TV Augusta, GA • KYTV Springfield, MO

CABLE

Cable TV of Coral Springs, FL • Antietam Cable, Hagerstown, MD

RADIO

WBST (AM) South Bend, IN • WNSN (FM) South Bend, IN • WABK (AM/FM) Lafayette, IN • WNOA (FM) Lafayette, IN

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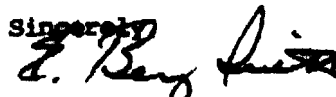
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May 29, 1996

The Hon. Reed E. Hundt, Chairman
Federal Communications Commission
1919 M. Street, N.W., Room 814
Washington, DC 20054

Re: Proposed Network-Affiliate Rules Modifications

Dear Chairman Hundt,

In three days our television station will preempt NBC network programming to air the "Children's Miracle Network Telethon" to help kids in Arkansas, Louisiana and Mississippi. This is just one example of public interest broadcasts that we believe occasionally need to take precedence over our network's programs. As local broadcasters we are in a position to recognize the needs of our viewers and communities and respond to them.

Of particular concern is the proposal to retain the "right-to-reject" rule, but to permit the networks to stop affiliates from making so called *economic preemptions* (preemptions that cannot be classified as public interest programming). That change would invite heavy-handed tactics by networks. Can you imagine the battles that would come before the FCC and the courts as networks interpreted *economic preemption* to benefit their own priorities? The losers would be local television viewers, their charities, civic organizations, high school and college sports teams, and others who depend on local stations for support.

Right now we enjoy a good relationship with our network. Part of the reason for that is the *balance of power*, to steal an old cold war term. That balance gives us the right to preempt network programming to air local public affairs and news programs, sports events and telethons. That balance protects our localism. I ask that you keep the "right-to-reject" rule intact to protect the balance of power that lets us serve our local public interests and needs.

Sincerely,

Matt James
General Manager

KWTX BROADCASTING COMPANY

6700 American Plaza, Waco, TX 76712 - P.O. Box 2636, Waco, TX 76702-2636
Phone 817/776-1330 - FAX 817/751-1088

RAY DEAVER
Vice President

June 3, 1996

The Hon. Reed E. Hundt, Chairman
The Hon. James H. Quello, Susan Ness
and Rachelle B. Chong, Commissioners
Federal Communications Commission
1919 M Street, N.W., Eighth Floor
Washington, D.C. 20054

*Re: Review of the Commission's Regulations Governing Programming
Practices of Broadcast Television Networks and Affiliates
MM Docket 95-92*

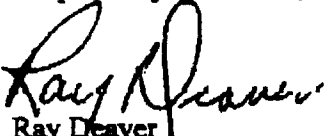
Dear Chairman Hundt and Commissioners:

I am the general manager of a CBS affiliated station in Waco, Texas. We have been a network affiliate for over forty years and we wholeheartedly endorse the network-affiliate relationship as it now exists. However, it is my understanding that the FCC is in the process of possibly altering its rules so that the broadcast networks could bind their affiliates to contracts preventing so-called "economic" preemptions. Please do not make this change in the rules.

As a local broadcaster, I need to be allowed to do my own programming and not be at the mercy of the network. I want to be able to decide whether we carry Dallas Cowboy pre-season football games, or Big 12 Football, or Billy Graham Crusades, or a MDA Telethon.

Please retain the current rules that will continue to allow us to have autonomy from the networks. Thank you for your consideration of my request.

Respectfully submitted,



Ray Deaver
Vice President & General Manager

KWTX AM/FM/TV
Waco, Texas

KBTX TV - Brazos Broadcasting Co.
Bryan, Texas



3300 NORTH SIXTH STREET, HARRISBURG, PA 17110-1421
PH: (717) 238-2100 FAX: (717) 238-8744 WHPO99A@PRODIGY.COM

June 4, 1996

The Honorable James H. Quello, Commissioner
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street, NW
Room 802
Washington, D.C. 20054

Via TELECOPIER

Dear Chairman Hundt:

At the Federal Communications Commission's upcoming June 12, 1996, meeting, you will be considering an item that would amend the "right-to-reject" rule to permit affiliates to enter agreements with networks that would eliminate "economic" preemptions. I am writing this letter to you today to ask you to vote against this amendment.

Economic preemptions are an important part of Local originated programming. If we lose the right to pre-empt the Network, we lose an important part of our ability to serve our community. Would you agree that we are more valuable airing the Muscular Dystrophy; Arthritis; and Easter Seals telethons to raise money for charities, or air another Network program? Do we better serve our Harrisburg-Lancaster-Lebanon-York market by airing prime-time local news documentaries on local towns and their history; the local highway system; the local police; and featuring volunteers in our Making A Difference campaign? I believe that we do.

I read of recent statements made at the National Cable Conference, that United States government officials said broadcasters should follow cable in their public service lead. I challenge you to demonstrate anyone's commitment to serving our communities more than us -- a local, network-affiliated broadcaster.

Please do not eliminate our ability to serve, inform and entertain, particularly in network dominated time periods. Localism is all that we have to identify us, versus a national programmer, whether that a traditional network, a cable operation or direct broadcast satellite.

I trust that you will make the right decision.

Sincerely,

John F. Feeser
VP/General Manager

cc: Kurt Wimmer



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1919 M Street, NW
Room 832
Washington, D.C. 20054

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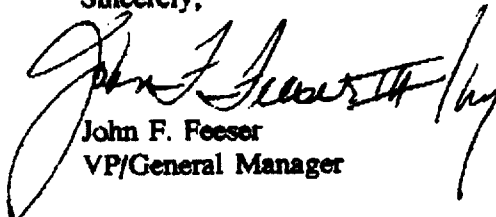
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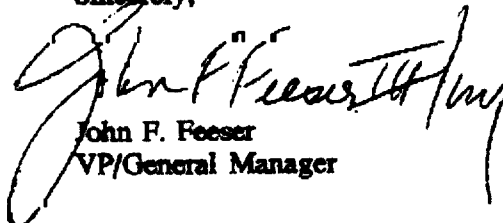
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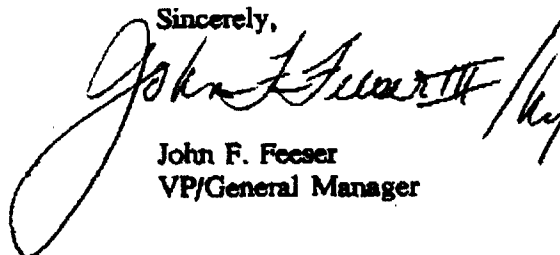
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M.N. Bostick

200 W. Highway 6, #500
Waco, Texas 76712

June 3, 1996

The Hon. Reed E. Hundt, Chairman
Federal Communications Commission
1919 M Street, N.W., Eighth Floor
Washington, D. C. 20054

Re: Review of the Commission's Regulations Governing Programming
Practices of Broadcast Television Networks and Affiliates
MM Docket 95-92

Dear Chairman Hundt:

If you eliminate the network prescription rights currently available to local television stations you seriously reduce the flexibility so necessary to serve the local public.

I am Chairman of three entities licensed to operate KWTX-TV, Waco, Texas; KBTX-TV Bryan-College Station, Texas; KXII-TV, Sherman, Texas. All three of these stations are currently affiliated with the CBS Television Network. You surely recognize that all three of these markets are small markets and seriously need the current FCC Network Program Practices.

I constructed KWTX-TV, Waco, Texas in 1955, and went on the air without any network. The FCC Network Regulations and threat of an anti trust suit secured an ABC Network affiliation. KBTX-TV, Bryan, Texas also went on the air without a standard network contract, but FCC Network Regulations helped secure network programming. The FCC Network Regulations as currently stated give all three of these markets' ability to react to local needs without fear of unmanageable network retribution. Without the current regulations these markets could not have in the past, and cannot in the future provide necessary balance between local, network, and other program needs.

The current regulations are working. They aren't broke; please don't fix them.

Sincerely,



M. N. Bostick, Chairman
KWTX Broadcasting Company, Inc.
KBTX-TV, Brazos Broadcasting Company
KXII Broadcasters, Inc.

M.N. Bostick

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KBTX-TV, Brazos Broadcasting Company
KXII Broadcasters, Inc.

June 4, 1996



509 South Neil Street

Post Office Box 20

Champaign, Illinois

61824-0020

(217) 356-8333

A CBS Affiliate

The Honorable Rachelle B. Chong, Commissioner
Federal Communications Commission
1919 M. Street, N.W., Room 844
Washington, DC 20054

Dear Commissioner Chong:

WE NEED YOUR HELP AND SUPPORT REGARDING THE NETWORK-AFFILIATE RULES. As you consider an amendment of the "right-to-reject" rule that would eliminate "economic" preemptions, please consider the following:

Robb Gray, Jr.

Vice President
and General Manager

The "local" audience and local control of stations will be destroyed if every preemption decision becomes subject to a public-interest inquisition by the network.

The determination of whether a preemption is "economic" cannot be made objectively. The network which will make the initial judgment of whether to seek contractual penalties, will have every motivation to see every preemption as "economic". In fact, the rule would penalize successful local programming by making any popular program an ineligible program on which to base a preemption.

We believe stations should have the opportunity to preempt unacceptable network programming to air more suitable programming for our local viewers. Economic preemptions are an important check on insufficient network programming or programming that cannot be made consistent with local tastes and values.

We believe the control of what programming runs on our local stations belongs to the affiliates not the network. This control has been reduced due to the network size and power, changes in ownership rules, deregulation of fin/syn and PTAR and other recent changes.

Midwest Television, Inc.

WCIA
Champaign, IL

WCFT
Springfield, IL

WMBD-AM-TV, WMXP-FM
Peoria, IL

KFMB-AM-FM-TV
San Diego, CA

I strongly urge you to not gut the right-to-reject rule and further shift the balance of power in the network-affiliate relationship to the network!

Sincerely,

Robb Gray Jr.
Vice President
General Manager

RG:ls





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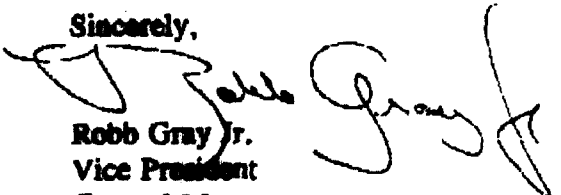
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(217) 356-8133

A CBS Affiliate

June 4, 1996

The Honorable Reed E. Hundt, Chairman
Federal Communications Commission
1919 M. Street, N.W., Room 814
Washington, DC 20054

Dear Chairman Hundt:

WE NEED YOUR HELP AND SUPPORT REGARDING THE NETWORK-AFFILIATE RULES. As you consider an amendment of the "right-to-reject" rule that would eliminate "economic" preemptions, please consider the following:

Robb Gray, Jr.

Vice President
and General Manager

The "local" audience and local control of stations will be destroyed if every preemption decision becomes subject to a public-interest inquisition by the network.

The determination of whether a preemption is "economic" cannot be made objectively. The network which will make the initial judgment of whether to sock contractual penalties, will have every motivation so see every preemption as "economic". In fact, the rule would penalize successful local programming by making any popular program an ineligible program on which to base a preemption.

We believe stations should have the opportunity to preempt unacceptable network programming to air more suitable programming for our local viewers. Economic preemptions are an important check on insufficient network programming or programming that cannot be made consistent with local tastes and values.

We believe the control of what programming runs on our local stations belongs to the affiliates not the network. This control has been reduced due to the network size and power, changes in ownership rules, deregulation of fin/syn and PTAR and other recent changes.

Midwest Television, Inc.

WCIA
Champaign, IL

WCFT
Springfield, IL

WMBD-AM-TV, WMXP-FM
Peoria, IL

KFMB-AM-FM-TV
San Diego, CA



I strongly urge you to not gut the right-to-reject rule and further shift the balance of power in the network-affiliate relationship to the network!

Sincerely,

Robb Gray Jr.
Vice President
General Manager

RG:ls



June 4, 1996

The Hon. Reed E. Hundt, Chairman
The Hon. James H. Quello, Susan Ness
and Rachelle B. Chong, Commissioners
Federal Communications Commission
1919 M. Street, NW, Eighth Floor
Washington, DC 20054

Dear Commissioners:

I'm writing to strongly urge you to retain the right-to-reject rule that applies to our relationship with the television networks. Frankly, in all that I have read or heard, I'm still not quite clear why you would even consider abolishing this rule. Much of what the Commission has done over the years has been aimed at the greatest possible competition and community service.

Our relationship with our network needs to be a business one based on whatever agreement we have signed with them. I hope the Commission will not choose to become a third party to such a business contract.

Best wishes with the many difficult decisions you are currently considering.

Sincerely,

Mark Keown
Executive Vice President
and General Manager

MK/kr



June 3, 1996

Mr. Kurt Wimmer
Secretary's Office
FEDERAL COMMUNICATIONS COMMISSION
1919 M. Street, N.W.
Washington, D.C. 20054

Dear Mr. Wimmer;

This letter is in response to the "Right To Reject Rule" which we understand the commission will consider on June 12th.

As it stands the rule protects a station's autonomy and the community it serves. It would not be in the best public interest to provide networks this amount of control over affiliates.

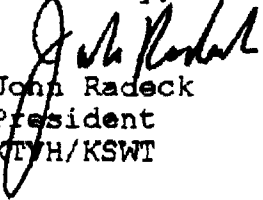
Economic pre-emptions are an important check on insufficient network programming and more importantly, programs that could be objectionable or unsuitable to the local tastes and values.

Our two stations, one in Helena, Mt. and the other in Yuma, Az. are "small market" affiliates and would be particularly harmed as the networks' "Big Market" ownership control increases, leaving us and others at their mercy.

Please keep the "Right To Reject Rule" in effect.

Thank you for your consideration.

Sincerely,


John Radeck
President
KTVH/KSWT

cc: Hon. Reed E. Hundt, Chairman
Hon. James H. Quello, Commissioner
Hon. Susan Ness, Commissioner
Hon. Rachelle B. Chong, Commissioner

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